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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

Scot Mussi; Gina Swoboda, in her
capacity as Chair of the Republican Party
of Arizona; and Steven Gaynor,

Plaintiffs,

v.

Adrian Fontes, in his official capacity as
Arizona Secretary of State,

Defendant.

No. CV-24-01310-PHX-DWL

**UNOPPOSED MOTION FOR
EXTENSION OF TIME FOR
PLAINTIFFS TO FILE FIRST
AMENDED COMPLAINT**

(Second Request)

Plaintiffs, through counsel, hereby respectfully request an extension of time to file a First Amended Complaint to February 4, 2025. The Secretary does not object to this request for a second extension to file a First Amended Complaint.

The Court's Order dated December 5, 2024, held:

Plaintiffs may, within 14 days of the issuance of this order, file a First Amended Complaint ("FAC"). The FAC may include only changes from the complaint that are intended to remedy the deficiencies identified in this order. If Plaintiffs choose to file a FAC, they must also file, as an exhibit, a redlined version that indicates how the FAC differs from the complaint.

The 14-day deadline originally placed the FAC due on December 19, 2024. In its Order, the Court expressly did not foreclose the possibility that a different set of plaintiffs, raising a different set of factual allegations, might be able to establish standing in the

1 NVRA voter-list maintenance context. *See id.* at 13. On December 18, 2024, the Court
2 granted an unopposed request to extend the FAC filing deadline to January 17, 2025. *See*
3 ECF No. 45. Plaintiffs still intend to file an amended complaint and have made a diligent
4 effort to finalize various individuals, organizations, and associations who will serve as
5 Plaintiffs in the FAC. Plaintiffs believe that the anticipated changes in parties, and some
6 additional edits, will address the Court's concerns regarding standing in this matter.
7 However, due to circumstances that arose following the grant of the previous extension,
8 Plaintiffs request some additional time in order to bring finality to the parties and avoid
9 additional amendments in the near future.

10 Presently, Plaintiff Gina Swoboda has appeared solely in her capacity as Chair of
11 the Republican Party of Arizona and not in her individual capacity. Plaintiff Swoboda is
12 running for another term as Chair, with the vote scheduled to take place next week, on
13 January 25, 2025. If Plaintiff Swoboda is elected to another term, Plaintiffs anticipate
14 removing Plaintiff Swoboda as a plaintiff in her official capacity, and adding the
15 Republican Party of Arizona as a plaintiff. Alternatively, should Plaintiff Swoboda's
16 reelection bid prove unsuccessful, she would need to withdraw as a plaintiff.

17 In sum, a short extension will provide Plaintiffs sufficient time to address the
18 deficiencies in their FAC. Therefore, Plaintiffs request that the deadline for filing FAC
19 be extended to February 4, 2025.

20 The Secretary does not object to this request.

21 Therefore, Plaintiffs request an extension to February 4, 2025. This extension is
22 requested in good faith and will not unduly delay or prejudice either party.

1 Respectfully submitted this 17th day of January 2025.

2 /s/ Andrew Gould

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/s/ Andrew Gould
 Andrew Gould
Attorneys for Plaintiffs